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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/605,318 | 09/22/2003 | Michael JOHANSSON | 07589.0129.PCUS00 | 2317 |

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| EXAMINER |
|---|
| DOLE, TIMOTHY J |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2858 | |

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/605,318 | JOHANSSON ET AL. | |
| | Examiner | Art Unit | |
| | Timothy J. Dole | 2858 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *3,5,6,10,11 and 15-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3,5,6,10,11 and 15-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 15-17, 23, 24 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Butchko (US 4,866,390).

Referring to claims 23 and 30, Butchko discloses a system and method for monitoring electrical components of a vehicle to confirm that the electrical components operate properly, the system comprising: an instrument (fig. 1) including a display (fig. 1 (CR1-CR3, CR7-CR9, CR17 and CR18)) and a control unit (fig. 1 (14)); a control system contained in the control unit to activate a plurality of electrical components for an activation time and in an activation sequence that allows an operator to walk around the vehicle to verify proper operation of each of the plurality of electrical components (column 5, lines 38-46); and an input device (fig. 1 (SW1-SW4)) allowing the operator to give at least one message to the control system (column 5, lines 29-43) that further includes means for allowing the control system to give at least one message to the operator (column 5, lines 29-53) and means for measuring at least one characteristic value for each of the plurality of electrical components (column 6, lines 4-18).

Referring to claim 24, Butchko discloses the system as claimed wherein the input device is selected from the group consisting of an electrically connected input unit (fig. 1 (SW1-SW4)) and a remote transmitting unit.

Referring to claim 15, Butchko discloses the method as claimed wherein the plurality of electrical components to be activated can be selected by the operator (column 5, lines 29-37).

Referring to claim 16, Butchko discloses the method as claimed wherein the plurality of electrical components is a part of all the electrical components of the vehicle (column 5, lines 29-43).

Referring to claim 17, Butchko discloses the method as claimed wherein the control system activates the part when a particular predefined event takes place (column 5, lines 29-43).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 3, 5, 7, 10, 11, 18-20 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butchko in view of Summons et al. (WO 87/03548).

Referring to claim 3, Butchko discloses the system as claimed except wherein the system further comprises: means for comparing at least one measured characteristic value with at least one saved nominal value.

Summons et al discloses the system as claimed, wherein the system further comprises: means (fig. 1 (16)) for comparing at least one measured characteristic value with at least one saved nominal value (abstract).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the comparing means of Summons et al. into the system of Butchko for the purpose of being able to indicate when the values differ by a predetermined amount (abstract).

Referring to claim 25, Butchko discloses the system as claimed except wherein the operator sends a the at least one message to the control system for recording, by the means for measuring, of a nominal value for each of the plurality of electrical components included in the activation sequence, the means for measuring saving each the nominal value to provide at least one saved data set for a selected vehicle.

Summons et al. discloses the operator sends a the at least one message to the control system for recording, by the means for measuring, of a nominal value for each of the plurality of electrical components included in the activation sequence, the means for measuring saving each the nominal value to provide at least one saved data set for a selected vehicle (page 4, line 11 – page 5, line 17).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the system of Butchko for the purpose of providing an average stored value whereby making comparisons with measured values more accurate (abstract).

Referring to claim 5, Butchko discloses the system as claimed except wherein the system further comprises: means for saving at least one historical value for at least one of the plurality of components in at least one historical data set.

Summons et al. discloses the system further comprises: means (fig. 1 (13)) for saving at least one historical value for at least one of the plurality of components in at least one historical data set (page 4, line 11 – page 5, line 17).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the system of Butchko for the purpose of providing a stored value whereby making it possible to compare measured values with previous data (abstract).

Referring to claim 7, Butchko discloses the system as claimed except wherein the system further comprises: means for transferring one or more historical data set(s) to a central unit.

Summons et al. discloses the system further comprises: means for transferring one or more historical data set(s) to a central unit (page 4, line 11 – page 5, line 17).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the system of Butchko for the same purpose as given in claim 5, above.

Referring to claims 26-28, Butchko discloses the system as claimed wherein the vehicle includes a tractor unit having connection physically and electrically for towing at least a first trailer unit and the data set includes nominal values for the tractor unit and the at least a first trailer unit (column 3, lines 40-57). It should be noted that the invention of Butchko would work for any vehicle that has a suitable connection. Therefore it will provide data sets for tractor units as well as multiple trailer units.

Referring to claim 29, Butchko discloses the system as claimed wherein the plurality of components is a plurality of light bulbs (abstract).

Referring to claim 10, Butchko discloses the method as claimed except for comparing the at least one characteristic value with at least one saved nominal value for the at least one of the plurality of components; and comparing the at least one characteristic value against at least one saved maximum and a saved minimum value for the at least one of the plurality of components.

Summons et al. discloses comparing the at least one characteristic value with at least one saved nominal value for the at least one of the plurality of components (page 14, lines 14-16); and comparing the at least one characteristic value with at least one saved maximum and a saved minimum value for the at least one of the plurality of components (page 13, lines 11-18).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the method of Butchko for the same purpose as given in claims 3 and 5, above.

Referring to claim 11, Butchko discloses the method as claimed except for giving the at least one message to the operator and saving at least one error message when the at least one characteristic value differs from the at least one saved nominal value by more than a predefined factor including when the at least one characteristic value is not included between the saved minimum value and the at least one saved maximum value.

Summons et al. discloses giving the at least one message to the operator and saving at least one error message when the at least one characteristic value differs from

the at least one saved nominal value by more than a predefined factor including when the at least one characteristic value is not included between the saved minimum value and the at least one saved maximum value (page 16, lines 20-25).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the method of Butchko for the same purpose as given in claim 5, above.

Referring to claim 18, Butchko discloses the method as claimed except for saving characteristic values for the part as a data set.

Summons et al. discloses saving characteristic values for the part as a data set (page 14, lines 14-16).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the method of Butchko for the same purpose as given in claim 5, above.

Referring to claim 19, Butchko discloses the method as claimed except for selecting one of a number of data sets of saved nominal values for comparing with the data set for the part.

Summons et al. discloses selecting one of a number of data sets of saved nominal values for comparing with the data set for the part (page 14, lines 14-16).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the method of Butchko for the same purpose as given in claim 5, above.

Referring to claim 20, Butchko discloses the method as claimed except for saving historical values for at least one of the plurality of components as at least one historical data set.

Summons et al. discloses saving historical values for at least one of the plurality of components as at least one historical data set (page 4, line 11 – page 5, line 17).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the method of Butchko for the same purpose as given in claim 5, above.

4. Claims 6, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butchko in view of Summons et al. as applied to claims 5 and 20 above, and further in view of Toshiba Corp. (JP 02-142093).

Referring to claims 6 and 21, Butchko as modified discloses the system and method as claimed except wherein the system further comprises means for predicting the service life of a component using the at least one historical data set.

Toshiba Corp. discloses a life estimate device including means for predicting the service life of a component using the at least one historical data set (abstract). It should be noted that the historical data set is the "standard amount" of Toshiba Corp., which is compared with the consumption amount to determine filament service life (abstract).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the life estimate of Toshiba Corp. into the system and method of Butchko as modified for the purpose of avoiding the trouble resulting from a shortage of luminous intensity (abstract).

Referring to claim 22, Butchko discloses the method as claimed except for transferring at least one data set selected from a data set of the part and at least one historical dataset to a central database.

Summons et al. discloses transferring at least one data set selected from a data set of the part and at least one historical dataset to a central database (page 4, line 11 – page 5, line 17).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the data saving of Summons et al. into the method of Butchko for the same purpose as given in claim 5, above.

***Response to Arguments***

5. Applicant's arguments with respect to claims 23 and 30 have been considered but are moot in view of the new ground(s) of rejection.

***Final Rejection***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Dole whose telephone number is (571) 272-2229. The examiner can normally be reached on Mon. thru Fri. from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJD

ANJAN DEB
PRIMARY EXAMINER